THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO.16481 OF 2005.

ORDER

In this writ petition, the petitioner by way of Writ of Mandamus seeks to declare the action of the respondents in not considering his request to measure the land in Sy.No.183-184-1 to an extent of Ac.0.05 cents, Plot No.8 of Yellutla village of Gurramkonda mandal, Chittur under Patta No.2081/78 and consequently direct the respondents not to evict the petitioner from the schedule land without putting him under notice and following due process of law.

It is the case of the petitioner that he is a landless poor and the Government assigned the above said land for house purpose and issued a patta wherein he has constructed a small house and he is in possession and enjoyment of the same. His neighbours who were given an extent of Ac.0.05 cents of land have a big rock in their land and therefore, with an eye sour, they made an application to the 2nd respondent to grant his back portion of land for construction of a temple alleging that he is having excess land. The neighbours are causing inconvenience to the petitioner by way of representations. Hence the writ petition.

Heard the learned counsel for the petitioner and the learned Government pleader for the respondents.

As seen from the record, it is clear that the petitioner came up with the present writ petition apprehending his dispossession from the land which was given to him in the year 1978 as patta by the respondents on the ground that the neighbours made a request to the 2nd respondent to allot his land for construction of a temple. Therefore, at any time, the petitioner may be dispossessed.

Having considered the submissions made and on perusal of record, I deem it appropriate to dispose of the writ petition at the stage of admission directing the respondents not to dispossess the petitioner from the schedule land without following due process of law. No costs.

27-07-2005.

Hsd